

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION
11020 Sun Center Drive, #200, Rancho Cordova, California 95670-6114

PUBLIC HEARING
concerning

**TENTATIVE ORDER RESCINDING
CEASE AND DESIST ORDER NO. R5-2003-0125**

FOR

**BARREL TEN QUARTER CIRCLE LAND INC.
BARREL TEN QUARTER CIRCLE, ESCALON CELLARS
SAN JOAQUIN COUNTY**

The Regional Water Quality Control Board, Central Valley Region, (Central Valley Water Board) will consider adoption of an Order rescinding Cease and Desist Order (CDO) No. R5-2003-0125. The Central Valley Water Board adopted CDO No. R5-2003-0125 on 5 September 2003, for the Barrel Ten Quarter Circle, Escalon Cellars Winery (Discharger) in San Joaquin County. The Discharger applies wastewater generated in the winery on land application areas. CDO No. R5-2003-0125 requires technical studies and submittal of a Report of Waste Discharge (RWD) that address groundwater degradation reported at the site. The studies and RWD were submitted and a revised Waste Discharge Requirements Order for the facility was adopted on 24 April 2009. The work items required by the CDO have been completed.

A public hearing concerning this matter will be held during the Regional Board meeting which is scheduled for:

DATE: 7/8/9 October 2009
TIME: 8:30 AM
PLACE: Central Valley Regional Water Quality Control Board Office
11020 Sun Center Dr., Suite #200
Rancho Cordova, CA 95670

The designated parties for this hearing are as follows:

- Staff of Central Valley Regional Board
- Barrel Ten Quarter Circle Land Company Inc.

Only designated parties will have these rights: to call and examine witnesses; to introduce exhibits; to cross-examine opposing witnesses; to impeach any witness; and to rebut the evidence against him or her. All other persons wishing to testify or provide comments are interested persons and not designated parties. Such interested persons may request status as a designated party for purposes of this hearing by submitting such request in writing to the Board no later than **9:00 a.m. on 21 September 2009**. The request must explain the basis for status as a designated party and in particular how the person is directly affected by the discharge.

The tentative Order to rescind CDO Order No. R5-2003-0125 was issued on 20 August 2009. Persons wishing to comment on this noticed hearing item shall submit testimony, evidence, if any, and/or comments in writing to the Regional Board no later than by **9:00 a.m. on 21 September 2009**. Written materials submitted after **9:00 a.m. on 21 September 2009** will not be accepted and will not be incorporated into the administrative record if doing so would prejudice any party.

All designated parties and interested persons may speak at the Regional Board meeting, and are expected to orally summarize their written submittals. Oral testimony and cross examination will be limited in time by the Board Chair

Anyone having questions on the tentative Order to Rescind CDO Order No. R5-2003-0125 should contact Timothy O'Brien (916) 464-4616 or tobrien@waterboards.ca.gov. Interested parties may download the proposed Order and related documents from the Regional Board's Internet website at http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/. Copies of these documents can also be obtained by contacting or visiting the Regional Board's office at 11020 Sun Center Drive, #200, Rancho Cordova, California 95670-6114 weekdays between 8:00 a.m. and 5:00 p.m.

The procedures governing Regional Water Board meetings may be found at Title 23, California Code of Regulations, Section 647 et seq. and are available upon request. Hearings before the Regional Water Board are not conducted pursuant to Government Code section 11500 et seq. The procedures may be obtained by accessing http://www.waterboards.ca.gov/water_laws/. Information on meeting and hearing procedures is also available on the Regional Board's website at http://www.waterboards.ca.gov/centralvalley/board_info/meetings/mtgprocd.shtml or by contacting any one of the Board's offices. Questions regarding such procedures should be directed to Ms. Kiran Lanfranchi-Rizzardi at (916) 464-4839.

The hearing facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to contact Ms. Kiran Lanfranchi-Rizzardi at (916) 464-4839 at least 5 working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Please bring the above information to the attention of anyone you know who would be interested in this matter.

Kenneth D. Landau, Assistant Executive Officer